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Attorneys for Defendant
NATIONAL RAILROAD PASSENGER
CORPORATION dba AMTRAK

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DEBRA SPENCER,

Plaintiff,

v.

AMTRAK and DOES 1 to 5,

Defendants.

Case No. 11-cv-01042 LB

**AMENDED STIPULATION TO 45 DAY
EXTENSION TO COMPLETE
MEDIATION AND ~~PROPOSED~~ ORDER**

The parties hereby stipulate to a 45 day extension to complete court mediation, pursuant to Local Rule 6-1. The grounds for the requested extension are as follows:

The parties have been unable to obtain critical medical records from plaintiff's orthopedic surgeon, Dr. Andrew Giovannini. Dr. Giovannini has retired, and he has not responded to the subpoena served by defendant in April 2011. Furthermore, defendant's multiple attempts to obtain these records at the location of Dr. Giovannini's prior practice have failed. Defendant has now noticed his deposition in an effort to gain compliance, but the parties cannot discuss settlement nor proceed with mediation until these critical records are obtained.

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Case No. C 11-01042 LB

AMENDED STIPULATION TO 45 DAY EXTENSION TO COMPLETE MEDIATION
AND ~~PROPOSED~~ ORDER

1 DATED: August 10, 2011

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4 By: /s/ Robert Blumenthal
ROBERT BLUMENTHAL
Attorneys for Plaintiff
DEBRA SPENCER

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7 DATED: August 10, 2011

LOMBARDI, LOPER & CONANT, LLP

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9 By: /s/ Laura C. Delehunt
LAURA C. DELEHUNT
Attorneys for Defendant
NATIONAL RAILROAD PASSENGER
CORPORATION

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13 ORDER

14 The Court, having reviewed the stipulation of the parties to a 45 day extension to
15 complete mediation, and the parties having demonstrated that there is good cause to grant the
16 requested extension to allow for their attainment of critical medical records:

17 IT IS SO ORDERED:

18 The new deadline by which the parties must complete mediation is November 7, 2011.

19 DATED: August 19, 2011

